

9444.1987(48)

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

OCT 23 1987

Kevin Mouser, R.P.S.
Hazard Materials Specialist
Bureau of Environmental Health
Department of Water Quality and
Hazardous Materials Management
Marion County Health Department
22 East Ohio Street
Indianapolis, IN 46204

Dear Mr. Mouser:

This is in response to your September 25, 1987, letter to Matt Straus concerning the dioxin-contaminated oils. This letter explains the regulatory requirements for the used oil in question, and then (as you requested) recommends additional management practices you may want to consider.

First, from the information you provided, the contaminated oil is not an EPA-listed hazardous waste, and would only be a hazardous waste under RCRA if it exhibits any of the hazardous characteristics. The only wastes listed as hazardous under RCRA due to the presence of dioxins are found in 40 CFR 261.31 under the hazardous waste number F020-F023 and F026-F028. Most of the listed dioxin wastes are manufacturing process wastes; the exception is F027, which covers discarded unused formulations containing tri-, tetra-, or pentachlorophenol or compounds derived from these chlorophenols. The waste in question is actually a lubricating oil contaminated with TCDD. The contamination resulted from use of the TCDD as an analytical standard, rather than from mixing of the oil with TCDD that is intended for discard. Therefore, the contaminated lubricating oil would not meet the F027 listing.

Second, please note that all used oils, whether they are hazardous by a characteristic or not, are subject to 40 CFR Part 266, Subpart F, if burned for energy recovery (or made into a fuel). If you decide to manage the oil in some other manner, however, no EPA regulations apply. You should check with the appropriate State agency to determine if State regulation apply.

Finally, you asked for storage and disposal recommendations. With regard to disposal, the most protective approach would be to ship the oil to a permitted hazardous waste incinerator. The regulations that EPA promulgated for small quantity hazardous waste generators, which are summarized in the enclosed handbook, contain recommended practices for storage. (The handbook also includes the address and phone number of the State regulatory agency in your area.)

If you have further questions in this area, please contact Mike Petruska at (202) 382-7729.

Sincerely,

Original Document signed

Marcia E. Williams
Director
Office of Solid Waste

Enclosure